

**REMARKS**

Reconsideration and allowance of the subject application are respectfully requested.

Upon entry of this Amendment, claims 1-6 are pending in the application. Applicant respectfully submits that the pending claims define patentable subject matter.

***Priority***

Applicant will submit a verified translation of the priority document if it is deemed necessary to overcome prior art applied in a rejection of record.

***Claim Objections -- 35 U.S.C. § 132***

Applicant's Amendment filed 7/11/2005 stands objected to under 35 U.S.C. § 132 because it allegedly introduces new matter into the disclosure. Specifically, the Examiner maintains that the addition of limitations: "series of sequential transactions" and "if a previous transaction has succeeded" in claim 1 are not supported by the original disclosure. However, Applicant respectfully disagrees with the Examiner's position.

In Applicant's Amendment Under 37 C.F.R. § 1.111, filed January 30, 2006, Applicant directed the Examiner to parts of the specification which provide support for the claim limitations. In the Interview of February 21, 2006, Applicant again showed the Examiner the support in the specification for the amendments. However, in the April 24, 2006 Final Office Action, the Examiner merely repeats the objection without any response as to why the supporting parts of the disclosure are insufficient. Moreover, Applicant further notes that on page 4 of the April 28, 2006 Final Office Action, the Examiner quotes from his own Interview Summary

Record as stating: "The applicant cited to the examiner in the specification where the limitations ... are taught regarding the 112 1<sup>st</sup> and 132 rejections. The specification appeared to support each of these two limitations individually." Therefore, Applicant respectfully requests the Examiner to remove the objection.

***Claim Rejections -- 35 U.S.C. § 112***

Claim 1 stands rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement. Specifically, the Examiner argues that the specification does not contain subject matter to implement the limitations "a series of sequential transactions" and "if a previous transaction has succeeded" as recited by claim 1. Applicant respectfully disagrees with the Examiner's position.

As discussed above, Applicant has provided support for the limitations both in the January 30, 2006 Amendment and at the February 21, 2006 Interview with the Examiner, and the Examiner himself indicated that the cited portions of the specification supported the limitations. Therefore, Applicant respectfully submits that the rejection should be withdrawn.

***Claim Rejections -- 35 U.S.C. § 103***

Claims 1-6 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Schaefer (USPN 6,157,927) in view of "ObjectStore Java API User Guide" and Leymann (USPN 6,012,094). Applicant respectfully traverses this rejection.

Applicant respectfully submits that one of ordinary skill in the art would not have been motivated to combine the cited Schaefer and Leymann references to produce the claimed

invention. In the response to arguments section of the Final Office Action, the Examiner argues that Leymann discloses the benefit of using set up if a previous transaction has succeeded, and that this benefit is passing along information from one entity to another. While there may be a benefit once the teachings are combined, Applicant submits that one skilled in the art would not have looked to combine the teachings in the first place.

Specifically, Schaefer is directed to increasing interoperability within a global transaction system. A global transaction system has a client interacting with multiple servers, one for a hotel reservation, one for a car rental reservation, and one for a flight reservation, for example. Each server has its own database that must be updated. These updates are performed by a local transaction manager, under the control of a global transaction manager which serves to coordinate the updates. (see col. 2, line 50 to col. 3, line 25). The problem with this system is that many different local transaction managers exist, for example the X/Open XATMI compliant transaction manager and the MS DTC transaction manager, and these transaction managers do not coexist well. Schaefer thus seeks to provide a system to more easily allow the X/Open XATMI-compliant manager to interact with the MS DTC transaction manager. This system includes various translation protocols.

By contrast, Leymann is directed to a global transaction system whereby transactions are grouped into strata and processed together. Specifically, Leymann is concerned with optimizing communication traffic for coordination of transactions with optimizing concurrency behavior and throughput of a collection of transactions. Leymann accomplishes this by grouping transactions and then processing the group as a set of chained strata. Thus, one skilled in the art would not

have looked to the teachings of Leymann because they provide no relation to the problem to be solved by Schaefer -- that of interoperability between transaction managers.

Moreover, the references actually teach away from their combination. Specifically, grouping the transactions into strata, as proposed by Leymann, if applied to the system of Schaefer would result in decreased functionality because X/Open XATMI-compliant transaction managers would be grouped with MS DTC transaction managers, thus resulting in an inoperable system.<sup>1</sup>

Independent Transactions Feature

Even assuming *arguendo* that the Schaefer and Leymann references may be combined, which Applicant submits is incorrect, the combination still does not teach all features recited by the claims. For example, claim 1 recites the feature of transmitting information by means of independent transactions. In the response to arguments section of the Final Office Action, the Examiner argues that Schaefer discloses the claimed limitations transmitting information by means of independent transactions, and cites to Figs. 6A to 6D and col. 3, lines 1-53 and col. 13, line 34 to col. 14, line 49 for support of this proposition. However, col. 3, lines 1-53 supports the opposite contention -- that all of the transactions in Schaefer's global transaction are dependent, not independent. Schaefer specifically states "with a global transaction, tasks that were once performed independently may be coordinated and automated." (col. 3, lines 16-18). Cols. 13

---

<sup>1</sup> See MPEP § 2143.01, Sections V and VI.

and 14 do not contain any relevant teachings regarding independent transactions. Rather, the cited portion discusses a bi-directional, two-phase commitment communications protocol operating as the connection manager. (see col. 13, lines 40-44). This two-phase commit is indicative of the global transaction discussed at col. 3, lines 1-53. Figs. 6A-6D merely disclose a state machine, which again operates in conjunction with the global transaction. Thus, none of the additional cited portions of Schaefer support the Examiner's contention. In fact, they support the opposite. As such, Schaefer does not disclose or suggest transmitting information by means of independent transactions as set forth in claim 1.

Chain of Communications Channels Feature

Claim 1 also recites the feature that the supplier and the consumer are connected by a chain of communication channels. The Examiner maintains that the non-global and global transactions (cols. 2 & 3) as allegedly illustrating a chain of communication channels. However, Applicant again respectfully disagrees with the Examiner's position.

In the non-global transaction situation, a client contacts a server which interacts with a database. Thus, there is only one communication channel between the supplier and the consumer, and not a chain of communication channels, as set forth in the claim. Second, in the global transaction situation, a client contacts a first server (e.g. an airline server), a second server (e.g. a hotel server), and a third server (e.g. a car rental server) individually. In this global transaction system, there is not *a chain* of communication channels. While there may be three different communication channels, i.e., one between the consumer and the air server, one

between the consumer and the car server, and one between the consumer and the hotel server, these are not formed in a chain. A chain has links, one connected to another. Thus, Schaefer at cols. 2 and 3, in his discussion of non-global and global transactions, does not show, teach or suggest a chain of communication channels which connects a supplier and a consumer, as set forth by claim 1. Accordingly, this feature is not shown by Schaefer.

In the response to arguments section of the Final Office Action, the Examiner argues, in essence, that the claims do not specify what is considered as a communications channel, and therefore the claims clearly read on the Examiner's interpretation of Schaefer. Specifically, the Examiner cites to Fig. 3 of Schaefer as containing a series of software and/r hardware modules between a transaction producer and consumer that carryout communication as allegedly corresponding to the claimed communication channels. Applicant respectfully notes that the standard for claim interpretation is not the broadest possible meaning of the claim terms, but rather the broadest *reasonable* interpretation consistent with the specification. See MPEP § 2111. Applicant thus directs the Examiner to page 1, lines 12-13 of the specification, where it is stated that an asynchronous communications service contains a manager and one or more communication channels. Thus, the Examiner will appreciate that to be consistent with the specification, the communications channels, while admitting to a broad interpretation, are different from a manager. Fig. 3 of Schaefer shows a resource manger 70 and a connection

manager 66.<sup>2</sup> Thus, the software and hardware modules of Fig. 3 of Schaefer do not show the chain of communication channels feature as set forth in claim 1. Neither Leymann nor ObjectStore contain any disclosure relevant to this issue. Therefore, claim 1 is patentable over the Schaefer/Leymann/ObjectStore combination.

Moreover, since Schaefer does not show a chain of communication channels, it is logically impossible for Schaefer to show asynchronous transactions that are setup between a supplier and a first communication channel of said chain, between each of the communication channels of said chain, and between a last communication channel of said chain and the consumer, as also set forth by claim 1.

Thus, for at least the reason discussed above, Applicant respectfully submits that claim 1 contains patentable features over the Schaefer, ObjectStore, and Leymann combination, and therefore respectfully requests that the Examiner withdraw the rejection to claim 1.

Claims 2 and 3 are patentable based on their dependencies.

Claim 4 recites the feature that each communication channel has a set of clients which are other communication channels or consumers. In the response to argument section of the Final Office Action, the Examiner advances, almost verbatim, the same arguments discussed above with respect to the chain of communication channels feature. As discussed above, the software

---

<sup>2</sup> Applicant will assume for the purposes of argument only that the client application 52 corresponds to the claimed consumer, but respectfully notes that Fig. 3 does not appear to contain any disclosure relevant to the claimed supplier.

and hardware modules of Fig. 3 do not show the claimed chain of communication channels as set forth in the claims. Therefore, logically, Fig. 3 of Schaefer cannot show the feature whereby each communications channel has a set of clients which are other communication channels or consumers, as set forth in claim 4. Neither Leymann nor ObjectStore contain any teachings relevant to this feature. Therefore, claim 4 contains patentable features over the Schaefer, ObjectStore, and Leymann combination, and Applicant respectfully requests that the Examiner withdraw the rejection to claim 4.

Claim 5 is patentable based on its dependency.

Claim 6 recites features substantially similar to those of claim 4, discussed above. Therefore, claim 6 is patentable over the combination of Schaefer, ObjectStore and Leymann, for the same reasons discussed above with respect to the patentability of claim 4, and Applicant respectfully requests the Examiner to withdraw the rejection.

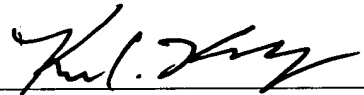


***Conclusion***

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Kevin C. Kunzendorf  
Registration No. 58,308

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: July 11, 2006